

REMARKS

I. Introduction

This paper is filed in response to the non-final Office Action mailed September 19, 2007. The undersigned thanks the Examiner for the telephone conference of February 27, 2008.

Applicant has amended the title, specification, and claims and provide hereto a replacement abstract. Applicant has amended claim 3 and 15 in response to a suggestion from the Examiner received during the telephone conference of February 27, 2008 and to otherwise clarify claim language, such as by deleting “can be” and replacing with “is”. No new matter is added by this amendment. Claims 1-2 have been cancelled. After entry of the present amendment, claims 3-16 and 18-20 remain pending in the present application and the title of the application is “Systems and Methods for Managing Data in a Database.”

Applicant traverses each of the Examiner’s rejections. Reconsideration and allowance of all pending claims is respectfully requested in view of the remarks below.

II. Priority

The Office Action stated that “[t]he Applicant’s claim for foreign priority of South African Patent Application No. 2001/8533 is confirmed.”¹ The Applicant, however, claims priority to PCT International Application Number

¹ Office Action, page 2.

PCT/IB2002/004273 in which a claim of priority to South African Patent Application No. 2001/8533, having a priority date of October 17, 2001, was withdrawn on April 16, 2004.² Accordingly, Applicant respectfully submits the present application claims priority to October 17, 2002, the filing date of PCT/IB2002/004273. Acknowledgment of the priority claim is requested.

III. Objections to the Specification, Title, and Abstract

The Office Action objected to the specification as missing “Background of the Invention” and “Detailed Description of the Invention” sections.³ Applicant has amended the specification to include “BACKGROUND OF THE INVENTION” and “DETAILED DESCRIPTION” section headings, thereby providing identification of the sections the Office Action contends the application is missing. Withdrawal of the objection is respectfully requested.

The Office Action objected to the title “for being broad and indefinite.”⁴ During the telephone conference with the Examiner on February 27, 2008, the undersigned proposed the following title: “Systems and Methods for Managing Data in a Database.” The Examiner indicated that the proposed title would be acceptable. Accordingly, the title has been amended to “Systems and Methods for Managing Data in a Database.” Withdrawal of the objection is respectfully requested.

² See “Latest bibliographic data on file with the International Bureau” at <http://www.wipo.int/pctdb/en/wo.jsp?wo=2003034173&IA=WO2003034173&DISPLAY=STATUS>.

³ Office Action, page 3.

⁴ Office Action, page 4.

The Office Action stated “[t]he abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4)” and that “[a] new abstract of the disclosure is required.”⁵ Applicant has provided a replacement abstract, attached hereto and labeled “Replacement Abstract”, that is on a separate sheet of paper. Acceptance of the replacement abstract and withdrawal of the statement that the abstract is not in accordance with 37 CFR 1.52(b)(4) is kindly requested.

IV. Rejections Under 35 USC § 101

The Office Action rejected claims 1-2, 3-14, and 15-16 under 35 USC § 101 as be directed to non-statutory subject matter.⁶ For the reasons set forth below, Applicant respectfully traverses this rejection.

As an initial matter, Applicant has cancelled claims 1-2. Furthermore, Applicant submits that claims 3-14 and 15-16 are directed to statutory subject matter under Section 101. During the telephone conference of February 27, 2008, the Examiner suggested that the claims recite the computer program product in claim 3 and the database component and computer program component in claim 15 stored on a media such as a compute-readable medium to overcome the Section 101 rejections. Based on the Examiner’s suggestion, claim 3 is amended to recite “[a] computer program product stored on a computer-readable medium and executable by a processor” and claim 15 is amended to recite “the database component being stored on a computer-readable medium” and “the computer program component being stored

⁵ *Id.*

on a computer-readable medium and executable by a processor.”⁷ Withdrawal of the rejection of claims 3-14 and 15-16 under 35 U.S.C. § 101 is kindly requested.

V. Rejections Under 35 U.S.C. § 102(b)

The Office Action rejected claims 1-3, 15-16, and 18 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,815,830 to Anthony (hereinafter “Anthony”). As an initial matter, Applicant has cancelled claims 1-2. Moreover, and for the reasons set forth below, Applicant respectfully traverses this rejection with respect to claims 3, 15-16, and 18 and requests its reconsideration and withdrawal.

To sustain a rejection under 35 U.S.C. § 102(b), each element as set forth in a claim must be expressly or inherently described in a single prior art reference. MPEP § 2131. Anthony fails to describe each element as set forth in claims 3, 15-16, and 18.

Anthony is generally directed to relating complete documents (such as books, articles, spreadsheets, and pictures) to each other via hyperlinks. Specifically, Anthony discloses automatically associating portions of data, such as text, on a particular topic stored in a database or other information retrieval system.⁸ A reference name, or topic name, for each data portion is stored as a first field and the data portion associated therewith is stored as a second field in the database.⁹ A data portion, selected by a user, is read and the first page of text of the data portion is

⁶ See *id.* at pages 4-6.

⁷ Underlining indicating added language.

⁸ See Anthony, Col. 2, ll. 35-46.

⁹ See *id.* at Col. 4, ll. 11-20.

compared to other topic names in the database.¹⁰ The comparison is conducted by automatically searching for the occurrence of topic names in the body of text of the first page of the data portions.¹¹ When a match is found, the matched topic name of the selected data portion is associated with the other data portions to which the matched topic name refers.¹² The association can include indicating the existence of the related data portion found in the search or allowing the user to jump to the associated data portions.¹³ The process can be repeated for subsequent pages of the first data portion until the entire text of the first data portion has been compared to the reference names or the user has moved to another data portion.¹⁴

The claimed invention, in contrast, relates to a database of portions in which information on a particular aspect of the topic is stored and which are sub-divided into a number of sub-portions. The sub-portions of each portion are linked to one another in a predetermined sequential arrangement, wherein each subsequent sub-portion in the sequential arrangement contains further information on the topic.¹⁵ One example of utilizing the claimed invention, provided hereto for illustrative purposes only, includes dividing a document about a topic into sub-portions, which may be as small as one sentence of text, and linking the sub-portions in a sequential arrangement to, in

¹⁰ See *id.* at Col. 4, ll. 57-61.

¹¹ See *id.* at Col. 4, ll. 63-65.

¹² See *id.* at Col. 4, l. 67 – Col. 5, l. 3.

¹³ See *id.* at Col. 5, ll. 5-18.

¹⁴ See *id.* at Col. 5, ll. 20-30.

¹⁵ Emphasis supplied.

some cases, provide a train of thought on the topic and allow a reader to manage the level of detail to access on various aspects of the topic.

At least because Anthony fails to disclose or suggest “linking the sub-portions of each portion of the database to one another in a predetermined sequential arrangement wherein each subsequent sub-portion in the sequential arrangement contains further information on the topic,” as recited in claims 3 and 15, it fails to anticipate claims 3 and 15 under Section 102(b). In Anthony, association and linking is achieved by comparing texts in various data portions with topic names associated with each data portion and, if a match is found, linking the associated data portions automatically. Instead of a predetermined sequential arrangement, Anthony automatically links data portions to other data portions in no particular order and that is dependent on a match after a comparison of text within data portions. Accordingly, Applicant respectfully submits Anthony fails to disclose each claimed element.

Similarly, claim 18 recites, “linking each of the sub-portions of each portion of the database to one another in a predetermined sequential arrangement wherein subsequent sub-portions in the sequential arrangement contain further information on the topic.” As shown above, Anthony fails to disclose at least this element and Applicant respectfully submits Anthony does not anticipate claim 18 under Section 102(b) for at least this reason.

Since Anthony fails to disclose or suggest each element recited in claims 3, 15, and 18, Applicant respectfully submits Anthony fails to anticipate claims 3, 15-16, and 18. Allowance of claims 3, 15, and 18 is requested.

Claim 16 depends from and further limits claim 15 and Applicant respectfully submits claim 16 is patentable over Anthony for at least the same reasons. Allowance of claim 16 is requested.

VI. Rejection of Claims 4-7, 14, 19-20 Under 35 U.S.C. § 103(a)

The Office Action rejected claims 4-7, 14, 19-20 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Anthony in view of U.S. Publication No. 2001/0047358 to Flinn, *et al.* (hereinafter “Flinn”). Each of claims 4-7, 14, and 19-20 depend from a further limit at least one of claims 3 or 18, for which reasons for allowance are provided above. For at least the same reasons, Applicant respectfully submits claims 4-7, 14, and 19-20 are patentable in view of the cited references and requests allowance of claims 4-7, 14, and 19-20.

VII. Rejection of Claims 8-11 Under 35 U.S.C. § 103(a)

The Office Action rejected claims 8-11 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Anthony in view of Flinn and U.S. Patent No. 6,414,215 to Flora, *et al.* (hereinafter “Flora”). Claims 8-11 depend from and further limit claim 3, for which reasons for allowance are provided above. For at least the same reasons, Applicant respectfully submits claims 8-11 are patentable in view of the cited references and requests allowance of claims 8-11.

VIII. Rejection of Claims 12-13 Under 35 U.S.C. § 103(a)

The Office Action rejected claims 12-13 under 35 U.S.C. § 103(a) as being allegedly unpatentable over the following four references:

1. Anthony;
2. Flinn;
3. Flora; and
4. U.S. Patent No. 5,761,436 to Nielsen.

Each of claims 12-13 depend from and further limit claim 3, for which reasons for allowance are provided above. For at least the same reasons, Applicant respectfully submits claims 12-13 are patentable in view of the cited references and requests allowance of claims 12-13. Claims 12 and 13 may be patentable for other reasons. For example, the automatic searching and linking functions disclosed in Anthony teaches away from including “a user interface that allows a user to interact with a computer display by pointing at selectable control areas on the display and activating a command or computer operation associated with the selectable control area” as allegedly disclosed in Nielsen.¹⁶

¹⁶ See Office Action, page 17.

CONCLUSION

Claims 3-16 and 18-20 are pending in the application. The Office Action rejections are believed to be traversed by the present amendment and response. Claims 3-16 and 18-20 should now be in condition for allowance. The Examiner is invited and encouraged to contact the undersigned attorney of record at 404-745-2520 if such contact will facilitate a Notice of Allowance for claims 3-16 and 18-20. If any additional fees are due, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

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